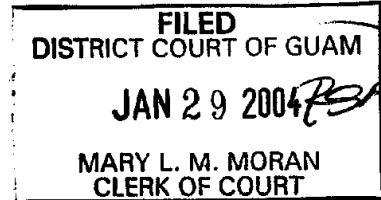


1 Steven A. Zamsky, Esq.  
2 ZAMSKY LAW FIRM  
3 Suite 805, GCIC Building  
4 414 West Soledad Avenue  
5 Hagåtña, Guam USA 96910  
6 Telephone: (671) 477-3637  
7 Facsimile : (671) 472-1584



8  
9 Attorneys for Plaintiff Shell Guam, Inc.

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  

IN THE DISTRICT COURT OF GUAM

|                               |   |                            |
|-------------------------------|---|----------------------------|
| SHELL GUAM, INC.,             | ) | CIVIL CASE NO. CIV03-00021 |
|                               | ) |                            |
| Plaintiff,                    | ) |                            |
|                               | ) |                            |
| vs.                           | ) | AFFIDAVIT OF AKIHIRO TANI  |
|                               | ) | IN SUPPORT OF REQUEST FOR  |
| M/V GYOKO MARU NO. 18         | ) | ENTRY OF DEFAULT AS TO     |
| and NIKKI SUISAN CORPORATION, | ) | DEFENDANT NIKKI SUISAN     |
| a Japan corporation,          | ) | CORPORATION                |
|                               | ) |                            |
| Defendants.                   | ) |                            |
| _____                         | ) |                            |

19 GUAM USA )  
20 ) ss:  
21 MUNICIPALITY OF HAGÁTÑA )

22 AKIHIRO TANI, first being duly sworn, depose and say as follows:

- 23 1. I am over the age of majority, a Japanese citizen and a permanent resident of Guam  
24 USA and not interested in the outcome of this case.
- 25 2. I speak English and Japanese and am fluent in both languages.
- 26 3. I have personal knowledge of all matters set forth herein and if called to testify as  
27 to said matters I could and would competently do so.  
28

ORIGINAL

1 Page 2

2 Affidavit of Akihiro Tani in Support of Request for Entry of Default as to Defendant Nikki Suisan Corporation  
3 Shell Guam, Inc. v. M/V Gyoko Maru No. 18, et al.  
4 District Court of Guam Civil Case No. CIV03-00021

5 4. Attached hereto are my handwritten translation of the one page document in  
6 Japanese.

7 5. It says that the documents were delivered to Mr. Yasuo Hatayama (which can also  
8 be translated as Yasuo Hatakeyama) who is the President of Nikki Suisan Corporation on December  
9 1, 2003.

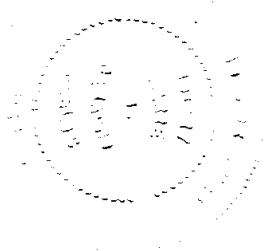
10 FURTHER THE AFFIANT SAYETH NOT.

11 Dated this 28<sup>th</sup> day of January 2004.

12  
13   
14 AKIHIRO TANI

15  
16 SUBSCRIBED AND SWORN to before me the undersigned Notary Public, duly sworn  
17 and commissioned in and for Guam USA this 28<sup>th</sup> day of January 2004, by AKIHIRO TANI.

18  
19   
20 NOTARY PUBLIC

21  
22   
23  
24  
25  
26  
27  
28

|  |
|--|
| MARIE T. CAMACHO<br>NOTARY PUBLIC<br>In and for Guam USA<br>My Commission Expires: February 10, 2007<br>My Commission Number: NP#03-0004<br>Post Office Box 3745 Hagåtña, Guam USA 96932 |
|--|

Z8(004.676)PLD\#2121

平成 15 年 ( 正 ) 第 30 号

送達報告書  
report of service of summons

- 送達書類 (1) 文書の要領 (SUMMARY)  
documents delivered (2) SUMMONS IN A CIVIL ACTION  
(3) VERIFIED COMPLAINT IN REM and IN PERSONAM

受送達者 NIKKI SUISAN CORPORATION  
receiver

上記書類は、平成 15 年 12 月 / 日午前・午後 2 時 20 分

受送達者の 有限会社 ニッキ水産 代表取締役 畑山 保男

に対して、当庁においてこれを交付して送達した。

- These documents have been delivered to Mr. Yasuo Hatayama,  
president of Nikki suisan corporation. on December 1, 2003,  
2:20 p.m.  
前日

横浜地方裁判所第 6 民事部

Yokohama district court, 6th civil division

裁判所書記官

court secretary

脇 理香

Waki Rika

横浜市中区太田町六丁目 82 番地

書類受領者

receiver of  
document

有限会社 ニッキ水産

取締役 畑山 保男

Nikki suisan corporation  
president. Yasuo Hatayama

( 民印 2 . 1 )